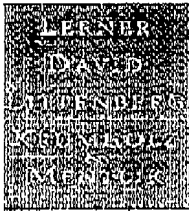


APR 05 2004

OFFICIAL



LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West • Westfield, NJ 07090
Tel: 908 654 5000 • Fax: 908 654 7866

Facsimile Transmittal

To:	Fax Number	Voice Number
U.S.P.T.O.	(703) 872-9306	
Examiner B. K. Talbot		

From: Raymond Garguilo, Esq.**Date:** April 5, 2004**No. Pages:** 3**Original Mailed:** -NO-**Client/Matter No:** TESSERA 3.0-176 DIV**• MESSAGE:**

NOTICE: The information contained herein is intended only for the addressee identified above. It may be or may include material that is confidential, attorney-client privileged, attorney work product, copyrighted, and/or inside information. If you are not the intended recipient, or a person responsible for delivering this message to the intended recipient, you are hereby notified that the unauthorized use, disclosure, distribution or copying is strictly prohibited and may be in violation of court order or otherwise unlawful. If you have received this transmission in error, please immediately notify us at 908654 5000 (collect, if necessary) and return this document to us by mail.

428714_1.DOC

Application No.: 09/942,386

Docket No.: TESSERA 3.0-176 DIV

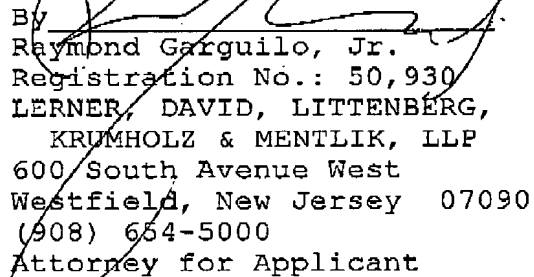
U.S.C. § 102(e) since it is commonly owned by the same inventive entity of the above identified matter.

In order to simplify matters, we request that the rejection under 35 U.S.C. 103 (a) for which DiStefano is cited be withdrawn.

If you have any further questions, please do not hesitate to contact us.

Dated: April 5, 2004

Respectfully submitted,

By 
Raymond Garguilo, Jr.
Registration No.: 50,930
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant